

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ERIC LEON CHRISTIAN,

Plaintiff,

vs.

CHRISTOPHER HOYE,

Defendant.

2:15-cv-00305-RCJ-GWF

ORDER

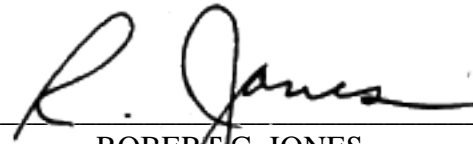
The Court finds that in forma pauperis status should not continue on appeal, as the case is frivolous. As the Court noted when screening the Complaint, Plaintiff does not allege that Defendant detained him beyond the length of time ordered by the sentencing court, but rather that the court itself miscalculated Plaintiff's sentence. Even assuming that court's detention orders were in error—which is unlikely—Plaintiff admits that Hoyer is guilty only of obeying those orders, which is fatal to Plaintiff's claims. *See Hoffman v. Halden*, 268 F.2d 280, 300 (9th Cir. 1959).

CONCLUSION

IT IS HEREBY ORDERED that in forma pauperis status shall not continue on appeal.

IT IS SO ORDERED.

Dated this 5th day of August, 2015.



ROBERT C. JONES
United States District Judge